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ON THE WEB

## Texas Search For Democrats Is Ruled Illegal

*By Associated Press*  
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The Texas Department of Public Safety lacks the legal authority to track down and arrest rebellious state lawmakers who block a quorum, a judge has ruled.

Visiting Judge Charles Campbell of State District Court in Austin made the ruling on Thursday in a lawsuit filed last month by State Representative Lon Burnam of Fort Worth, one of 51 Democrats in the Texas House who fled to Oklahoma for four days in May to prevent a vote on a Republican-backed Congressional redistricting plan.

After the lawmakers brought the House to a standstill by failing to show up on May 12, state troopers went to their homes, to offices where members of their families worked and even to the neonatal unit of a Galveston hospital, where Representative Craig Eiland's newborn twins were under care.

Some of the department's officers found the Democrats that night in Ardmore, Okla., but then acknowledged that they had no authority to bring them back.

Texas law "limits the role of D.P.S. to enforcing the laws protecting the public safety and providing for the prevention and detection of crime," Judge Campbell wrote in the ruling.

The judge said state law overrode a House rule allowing for absent members to be arrested by the sergeant-at-arms or an officer appointed by him.

A spokesman for the Department of Public Safety, Tom Vinger, said late Thursday that agency officials were reviewing the matter with their lawyers.

The department has been criticized by Democrats for its tactics in the searches. Last month, investigators found no wrongdoing by a federal Department of Homeland Security agency that helped the Texas department track down the private plane of Representative James E. Laney of Hale Center, who was among those who went to Oklahoma.

The Legislature is back in a special session to discuss redistricting.

In Washington, federal investigators said today that Federal Aviation Administration employees knew of the dispute when they helped find a state legislator's plane last month.

The investigators also said an employee of the agency advised a staff member of the House majority leader, Tom DeLay of Texas, who had pushed the Republican redistricting plan, where to find the plane without asking why the information was being requested.

"This report makes clear that the F.A.A. was used to search for a private plane to pursue a partisan political end," said Senator Joseph I. Lieberman, Democrat of Connecticut, who requested the investigation.

The report, issued by the Transportation Department's inspector general, Kenneth Mead, concluded that at least 13 F.A.A. employees helped look for the plane over eight hours on May 12.

Investigators found that a senior F.A.A. employee, David Balloff, advised an unnamed member of Mr. DeLay's staff that the plane belonging to Mr. Laney was due to land in Ardmore about seven minutes from the time of their conversation.

The information proved key in helping Texas Republicans track down the Democrats.

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